



BELGIUM

1. General

a. Host Nation (HN) employment is based on the Treaties of Paris, Ottawa, and London as implemented by the 1968 agreement between the Belgian Ministry of Defense (BMOD) and United States Army, Europe (USAREUR) & 7th Army. The legal employer is the U.S. Forces.

b. Personnel hired are contracted for, administered by, and dismissed by the BMOD acting in the name and on behalf of the United States Government.

c. HN employment, to the extent not governed by treaty, is governed by the laws, rules and customs of the Kingdom of Belgium.

d. Specific conditions of employment are established in the USAG Benelux Labor Regulation to which elected representatives have input.

e. The BMOD provides payroll functions based on information provided by the Benelux Civilian Personnel Advisory Center, which retains all personnel records for HN employees. An administrative fee of 1.5% is paid by USAG Benelux.

f. Classification of HN positions is based on OPM classification standards.

g. Strikes by HN employees are allowed under the same conditions as found in the public sector.

h. References at the end of the sub-sections below pertain to the respective sections in the USAG Benelux Pam 600-1.

2. Employment Conditions

a. Regular Work Hours

Although the standard workweek under Belgian law is 38 hours per week, HN employees work 40 hours. Special compensatory time off (see b. RW) for the extra two hours is granted to HN employees (Article 7).

b. Reduction of Work Time (RW)

Full time employees who work 40 hours per week for the entire calendar year are entitled to 3 RW days per quarter. These days may also be taken in conjunction with annual leave (Article 25).

c. Probationary Period

White-collar employees, whose salary does not exceed € 36,604 serve a 6-month probationary period, employees whose salary exceeds that amount serve a

12 month probationary period (Article 4). Blue-collar employees serve a 14-day probationary period.

d. Separation Notice Period

Notice periods for both the employing agency and the employee vary and depend on whether a white or blue collar employee is affected and the salary of the employee concerned.

-Termination by Employer

The employing agency notice period for blue collar employees is a minimum period of 35 days and a maximum period of 112 days. For white collar employees, the basic rule is three months per each increment of five years of service. Additional information can be found at Appendix A.2 of the USAG Benelux Pam 600-1.

-Resignation by Employee

The minimum employee notice period for white collar workers is one and a half month, the maximum is three months. It is 14 days for blue-collar workers. (Appendix A)

e. In addition to the separation notice period, permanent employees above 21 years of age who have worked for at least one year, who are separated due to a reduction-in-force are entitled to a lump sum indemnity payment amounting to two months pay of their last regular gross salary with a minimum amount of € 2,480. The minimum amount is indexed in accordance with the "index-pivot" (basis September 1993).

3. Pay Entitlements:

a. Regular Earnings

Employees are paid at the end of each month in accordance with Army in Europe Regulation 690-530-1, 13 September 2005.

b. Bonuses, Pay Supplements and Allowances

(1) Christmas Bonus

€ 700.14 plus 2.5% of annual salary plus 7% of the monthly salary limited to 240 EUR.

(2) Vacation Bonus

(a) White Collar (paid by the employing agency):
(annual salary + housing allowance)/12 x 0.92

(b) Blue Collar (paid by the Belgian Government Agency) (the employing agency contributes monthly to a special fund. It is an automatic deduction and is part of the employing agency's social security contribution [6%]): (annual salary + housing allowance) x 0.14.

- (3) Overtime Pay**
- (a) Basic pay, including housing/residence allowance, plus 50% of basic pay for overtime worked Monday through Saturday.
- (b) Basic pay, including housing/residence allowance, plus 100% of basic pay for overtime worked on Sundays or legal holidays. In addition, the employee receives a half-day of replacement time off for overtime of less than four hours and one full day off if overtime exceeds four hours.
- (c) Basic pay, including housing/residence allowance, plus 100% of basic pay for overtime on official holidays (Article 15).
- (4) Night Work**
- Work performed between 2000 and 0600 hours will be paid at the basic hourly rate, including housing/residence allowance, plus 10% (Article 17).
- (5) On-call Pay**
- Is compensated at the rate of 1.5% of the monthly gross salary for each on-call day Monday through Saturday and 3% of the monthly gross salary for each on-call period on Sundays and public holidays. An allowance of € 2.23 will be paid for each full hour worked in an on-call status (Article 13).
- (6) Allowance for Driving and Maintenance of Official Vehicles**
- An allowance of € 0.02 per mile is granted to employees who drive and maintain an official vehicle in addition to performing their regular duties (Article 22).
- (7) English Language Allowance**
- An allowance of € 297.48 (COLI not included) is paid to employees occupying positions requiring English language proficiency who have successfully passed the language test (Article 12).
- (8) Severe Working Conditions**
- An amount of € 0.1735 is paid to employees who are required to perform unsanitary work, where protective equipment is determined insufficient to eliminate the severe working condition (Article 21).
- (9) Bicycle Allowance**
- Employees, whose domicile is a minimum of one kilometer (km) from the duty station, and who use their bicycles to travel to and from work, are entitled to receive an allowance of € 0.22 per km (Article 14).

(10) Meal Vouchers

Employees are eligible for one meal voucher for each day during which they effectively performed their duties. Each voucher has a value of € 6.00. For each meal voucher they receive, employees will return to the employer € 1.09. This amount is deducted every month out of their net salary paid by the BMOD. Employees and the employer do not pay taxation or social security contributions on the value of these vouchers. (Article 11.8)

(11) Supplemental pension scheme

The US Forces conclude a supplemental retirement scheme for all employees and contribute 1.5% of employees' monthly gross salary to the insurance carrier. It is a contribution plan with employer's participation only. Reduced taxation and social security rates for the employer: 4.4% taxation and 8.86% social security.

4. Benefits and Allowances

- a. Old age pension Insurance** The employer pays 8.86%, the employee 7.50%.
- b. Health Insurance** Contributions amounting to 6.15% are paid by the employer, 4.70% are paid by the employee.
- c. Unemployment Insurance** The employer pays 1.35%, the employee 0.87%.
- d. Social Costs** The employer pays approximately 23% of other social costs.

5. Leave Entitlements

- a. Annual Leave** Is granted as follows:

Less than 45 years of age	26 workdays
From 45 to less than 50 years of age	27 workdays
From 50 years of age to 55 years of age	28 workdays
(Article 25)	
From 55 years of age to 59 years of age ..	29 workdays
From 60 years of age to 61 years of age ..	30 workdays
62 years	31 workdays
63 years	32 workdays
64 years plus	33 workdays

b. Leave for Special Events

Upon request and production of evidence, employees will be given between one and four paid days off. Specific cases and the number of days for which excused absence is granted are listed in USAG Benelux Pamphlet 600-1. Some examples for which excused absence is granted are: death in the immediate family, own marriage, and performance of civic duties (Article 26).

c. Absence due to Incapacity to Work

Is not earned by employees but may be taken without limit. For blue collar employees the first 14 days is paid by the employer after that, Mutuelle (Belgian Health Insurance System) pays the employee's wages. For white collar employees the employer pays the first 30 days. Thereafter Mutuelle pays the employee's wages.

d. Maternity Leave

Consists of two periods:

1. Rest period during pregnancy: Six weeks prior to the presumed delivery date. Out of the six weeks, one week must be taken seven days prior to the presumed delivery date. The remainder may be taken after the rest period following delivery.
2. Rest period after delivery: Nine weeks mandatory rest after delivery date. There are no costs to the employer, the employee is paid by Mutuelle.

6. Legal Holidays

Employees may be granted three different types of holidays: Legal Belgian holiday, BMOD holiday, and SHAPE holiday. When a holiday falls on a Saturday or Sunday, a compensatory day off will normally be granted on the preceding Friday or the following Monday.

7. Pay Protection

- a. If an organizational measure (such as review of job description or application of new classification standard) results in a change to lower grade, the employee is entitled to "pay protection" in accordance with the HN labor regulation.
- b. In the case of a reduction in force, an affected employee will receive an offer if there is an existing vacancy at the present grade or no more than two grades lower than the present grade and will receive pay protection.

c. In both cases, however, management will make every effort to place employees in positions at their former grade level. An employee declining a position at the former grade level will lose pay protection.